FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

First Appeal No. 134/2006
(Sandip Jaiswal VERSUS Mohd. Zakir Moh. Shafi & ors.)

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. S.G. Jagtap, Adv. for the appellant.
Mr. D.N. Kukday, Adv. for R-3.

CORAM : Smt. Vasanti A. Naik, J.
DATED : 17th August, 2007.

The counsel for the appellant and the respondent no.3 have presented a pursis dated 17/8/2007 in this Court today, which is taken on record and marked as Exh. Z. It is submitted by the counsel for the parties that in terms of the pursis, the parties have settled the matter and the appellant has agreed to accept an amount of Rs. 1,40,000/- from the respondent no.3 towards the full and final settlement of his claim in this first appeal. The aforesaid amount of Rs. 1,40,000/- is to be paid by the respondent no.3 over and above the amount of Rs. 70,000/- with interest, which is already paid by the respondent no.3 to the appellant in terms of Award dated 14/12/2005.

Both the appellant and the respondent nos.3 have signed this pursis. Similarly, the counsel for the appellant and the counsel for the respondent no.3 have also signed this pursis. It would not be necessary for the aforesaid parties to obtain the signatures of the

respondent nos. 1 and 2 on this compromise pursis as the appellant does not press his claim in this first appeal against the respondent nos. 1 and 2.

The appellant is personally present in the Court today. He has made a statement in the Court that he has agreed to receive an amount of Rs. 1,40,000/- over and above the amount of Rs. 70,000/- with interest and costs which is already paid by the respondent no.3 to the appellant, towards full and final settlement of the entire claim of the appellant in this appeal.

Since the settlement is fair and reasonable, it is necessary to pass a decree in this first appeal in terms of the compromise. The first appeal is, therefore, disposed of in terms of the settlement which is recorded in terms of this pursis. The first appeal is accordingly disposed of.

The respondent no.3 has agreed to deposit the amount of Rs. 1,40,000/- in this Court within a period of six weeks from today. In view of the compromise, the appellant would be entitled to withdraw the same after it is deposited by the respondent no.3.

JUDGE

RMP